

O'HAGAN MEYER

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August 5, 2025

VIA ECF

The Honorable Jennifer E. Willis
United States District Court
Southern District of New York
40 Foley Square, Room 2102
New York, New York 10007

Re: *Charles v. Pinnacle Too, LLC, et al.*
Case No. 1:22-cv-04232-DEH-JW

Dear Judge Willis:

This firm represents Defendants PINNACLE TOO, LLC, AGIR ELECTRICAL, LTD., and ANTONY GIRONTA (collectively, the “Pinnacle Defendants”) in the above-referenced matter. On July 24, 2025, Plaintiff Dexlon Charles (“Plaintiff”) filed a Motion for Default Judgment (“Motion”) against the Pinnacle Defendants. (Dkt. No. 197). Your Honor then directed Defendants to file any opposition on or before August 8, 2025, and scheduled an Order to Show Cause hearing for August 12, 2025, at 12:30 p.m.

On August 1, 2025, the law firm of O’Hagan Meyer entered an appearance for the Pinnacle Defendants. (Dkt. Nos. 206-207.)

The Pinnacle Defendants plan to oppose Plaintiff’s Motion for Default Judgment because the Pinnacle Defendants have retained new representation and based on the arguments made in the opposition to Plaintiff’s Pre-Motion Letter filed on May 29, 2025 by Defendants FrankCrum 6, Inc. d/b/a FrankCrum and Frank W. Crum Jr. (collectively, the “FrankCrum Defendants”), among other reasons. (Dkt. No. 188).

In accordance with Your Honor’s Individual Rule I(C), the Pinnacle Defendants respectfully request an extension of time to oppose Plaintiff’s Motion for Default Judgment until September 3, 2025. We make this request so O’Hagan Meyer can have a reasonable opportunity to get up to speed on the file as new counsel on the case. The Pinnacle Defendants also respectfully request that this Court adjourn the Order to Show Cause hearing scheduled for August 12, 2025.

This is the Pinnacle Defendants’ first request for a time extension to oppose the Motion and adjourn the hearing.

The Pinnacle Defendants have the consent of Plaintiff's counsel for this request.

We thank you for Your Honor's consideration of this request and attention to this matter.

Respectfully submitted,

/s/ Elizabeth Del Cid

Elizabeth Del Cid
O'HAGAN MEYER

Attorneys for Defendants PINNACLE TOO, LLC,
AGIR ELECTRICAL, LTD., and ANTONY
GIRONTA

Application GRANTED. The Pinnacle Defendants may oppose plaintiff's Motion for Default Judgment by September 3, 2025. The hearing previously scheduled for August 19, 2025 is ADJOURNED sine die.

In light of the foregoing, the FrankCrum Defendants' motion for extension of time (ECF No. 205) is DENIED as moot.

The Clerk of Court is respectfully directed to close ECF Nos. 205 & 208.

SO ORDERED.



Dale E. Ho
United States District Judge
Dated: August 6, 2025
New York, New York